

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F053969 People v. Brito

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F053969 People v. Brito

The judgments are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052728 Freitas v. Freitas

The judgment is affirmed. Costs on appeal are awarded to respondent. Levy, Acting P.J.

We concur: Cornell, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052882 People v. Puente

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F052882 People v. Puente

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054057 People v. Lewis

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F054057 People v. Lewis**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051427 People v. Simpson**
The judgment is affirmed. Dawson, J.
We concur: Levy, Acting P.J.; Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F053683 People v. Lewis**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F053683 People v. Lewis**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F052405 People v. Whelchel**
The grand theft conviction (count 2) is reversed. The stayed sentence on count 1 is vacated. The matter is remanded for resentencing. The judgment is affirmed in all other respects. A copy of the corrected abstract of judgment reflecting the new sentence is to be forwarded to the Department of Corrections. Kane, J.
We concur: Cornell, Acting P.J.; Gomes, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F053239 Coronado v. Cobblestone Village Community Rentals et al.**
Appellant's petition for rehearing filed herein is denied.

IN THE
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IN AND FOR THE
Fifth Appellate District

F052623 People v. Asher

Upon motion of appellant and upon the concession of the attorney general, the remittitur which issued in the above entitled action on May 12, 2008, is ordered recalled. The prior submission of the above entitled appeal on March 3, 2008, and the filing of the opinion on March 11, 2008, are vacated. The Clerk of the Kings County Superior Court is directed to cause the remittitur to be returned to this court on or before 10 days from the date of this order. Upon receipt of the recalled remittitur, the matter will stand submitted. The Clerk/Court Administrator of this court is directed to refile the opinion forthwith and to give to the parties notice of its filing pursuant to the applicable rules of the California Rules of Court.

F055183 Rosemarie S. v. The Superior Court of Merced County; Merced Co. Human Services Agency

Pursuant to the terms of this court's order of June 16, 2008, and the failure of any party to request oral argument, the oral argument date of July 10, 2008, is vacated.

This matter is deemed submitted on the date of this order.